

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00  
INRE-00 CIAE-00 PM-04 H-01 INR-07 L-03 NSAE-00  
NSC-05 PA-01 PRS-01 SP-02 SS-15 ACDA-07 CAB-02  
COME-00 DOTE-00 EB-08 FAA-00 /082 W  
-----231646Z 058245 /53

O P 231614Z MAR 77  
FM AMEMBASSY NICOSIA  
TO SECSTATE WASHDC IMMEDIATE 5552  
INFO SECDEF WASHDC PRIORITY  
AMEMBASSY ANKARA PRIORITY  
AMEMBASSY ATHENS PRIORITY  
AMCONSUL MONTREAL PRIORITY  
USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L NICOSIA 0812

E.O. 11652: GDS  
TAGS: PFOR, PORG, EAIR, ICAO, CY, TU  
SUBJECT: TURKISH CYPRIOT DECLARATION OF ADVISORY AIRSPACE IN  
NICOSIA FIR

REFS: (A) NICOSIA 780 (DTG 211542Z MAR 77) (NOTAL)  
(B) USUN 853 (DTG P221621Z MAR 77) (NOTAL)

1. OPINION IN NICOSIA IS MOVING TOWARD ACCEPTANCE OF IDEA  
THAT ICAO COUNCIL IS MOST APPROPRIATE FORUM FOR SOLUTION  
OF TURKISH CYPRIOT ADVISORY AIRSPACE PROBLEM. WE NOTE  
FROM REF B THAT IN THIS CONTEXT UNSYG OFFICIALS ARE  
BEGINNING TO VIEW REOPENING OF NICOSIA INTERNATIONAL AIRPORT  
WITH ASSOCIATED FIR/UIR OPERATED BY ICAO AS A POSSIBLE WAY  
OUT OF CURRENT DILEMMA. WE BELIEVE THAT GREEK CYPRIOTS  
WOULD BE RELUCTANT TO ACCEPT EARLY ICAO/GOC/TFSC OPERATION  
OF FIR BECAUSE THIS WOULD CONSTITUTE GOC ACCEPTANCE OF  
TURKISH CLAIM THAT GOC UNABLE TO PROVIDE EFFECTIVE CONTROL  
OF AIRSPACE WITHIN NICOSIA FIR. MOST IMPORTANT SINGLE  
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POINT OF ISSUE WOULD BE FACT THAT JOINTLY-OPERATED  
NICOSIA FIR WITH ALL AIRWAYS OPEN WOULD HAVE TO MAKE  
PROVISION FOR TURNING AIRCRAFT OVER TO ERCAN APPROACH.  
THIS WOULD MEAN THAT A UN BODY HAD RECOGNIZED, AND GOC HAD  
IMPLICITLY ACCEPTED, THAT ERCAN AIRPORT HAS SOME DEGREE OF  
LEGALITY -- A POINT WHICH GOC HAS NOT BEEN WILLING TO CONCEDE  
TO DATE. THUS WE BELIEVE IT IS PREMATURE TO HOPE THAT THERE

COULD BE EARLY SOLUTION OF THIS PROBLEM BY REOPENING OF NICOSIA INTERNATIONAL AIRPORT AND/OR INTERNATIONAL OPERATION OF ASSOCIATED FIR/UIR.

2. REF B NOTES THAT BRITISH HIGH COMMISSION NICOSIA HAS SUGGESTED THAT HIGH-LEVEL ICAO TECHNICAL ADVISER MIGHT COME TO CYPRUS AT AN EARLY DATE TO WORK WITH BOTH SIDES TO DETERMINE IF AIRSPACE PROBLEM CAN BE SOLVED ON NON-POLITICAL BASIS. WE UNDERSTAND UN OFFICIALS IN NEW YORK ARE GIVING FAVORABLE CONSIDERATION TO THIS PROPOSAL. IT WOULD BE PREFERABLE, WE THINK, TO KEEP TECHNICAL DISCUSSIONS IN MONTREAL -- AND AWAY FROM NICOSIA -- TO MINIMIZE POLITICAL INPUT BY GOC AND TFSC. IT WOULD BE APPROPRIATE FOR GOT, TO REQUEST ICAO ASSISTANCE IN SOLVING THE VERY REAL SAFETY PROBLEM INVOLVING FLIGHTS FROM TURKEY TO NORTHERN CYPRUS. GOC IS MEMBER OF ICAO AND COULD BE REPRESENTED IN A NORMAL WAY. WHEN A TECHNICAL SOLUTION HAS BEEN FORMULATED IN MONTREAL IT COULD BE PRESENTED THROUGH UNSYG IN NICOSIA FOR POLITICAL APPROVAL.

3. FINALLY, WE NOTED THAT ON A DAY-TO-DAY BASIS U.S. STATE AIRCRAFT ARE INVOLVED IN THE CYPRUS AIRSPACE PROBLEM. MILITARY MESSAGE TRAFFIC BEING RECEIVED BY OUR DAO INDICATES U.S. STATE AIRCRAFT IN NICOSIA FIR ARE RECEIVING CONFLICTING INSTRUCTIONS FROM TURKISH, TFSC, AND GOC ATC'S. TURKISH AMBASSADOR ONHON INFORMED US, WITH SOME SATISFACTION, THAT ON FIRST DAY OF TFSC ADVISORY AIRSPACE, MARCH 21, TWO U.S. STATE AIRCRAFT REPORTED THEIR POSITIONS TO ERCAN CONTROL. THROUGH

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DIPLOMATIC CLEARANCE REQUESTS WE ARE AWARE THAT U.S. STATE AIRCRAFT MAKE FREQUENT USE OF THE AIRSPACE BETWEEN CYPRUS AND TURKEY FOR FLIGHTS FROM WESTERN MEDITERRANEAN TO TURKEY AND POINTS EAST. WE ARE UNABLE TO OBTAIN CLEARANCE FOR USE OF THIS AIRSPACE BECAUSE NICOSIA FIR HAS NOT BEEN OPERATING IN DISPUTED AREA, SO U.S. STATE AIRCRAFT OPERATE UNDER "DUE REGARD" PRINCIPLE THAT STATE AIRCRAFT ARE FREE TO TRAVEL OVER INTERNATIONAL WATERS WITHOUT DIPLOMATIC CLEARANCE. WE SUSPECT THAT IT IS PRECISELY THE HAZARDS CAUSED BY SUCH EAST-WEST TRAFFIC THAT CAUSED TURKISH AIRLINE PILOTS TO THREATEN NOT TO FLY TURKEY/ERCAN ROUTE. WE RECOMMEND WASHINGTON AGENCIES REVIEW THE PROBLEMS CREATED FOR AND BY U.S. STATE AIRCRAFT TRANSIT OF AIRSPACE BETWEEN CYPRUS AND TURKEY TO DETERMINE HOW SUCH TRANSIT CAN BE ACCOMPLISHED IN A WAY THAT KEEPS TO A MINIMUM OUR POTENTIAL INVOLVEMENT IN THE NORTHERN CYPRUS AIRSPACE DISPUTE.

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Date:** 22 May 2009  
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**Type:** TE  
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